

A Resolution

NO. 3676-11-2008

APPROVING A REGIONAL TRANSPORTATION LEGISLATIVE PROGRAM FOR THE 81ST TEXAS LEGISLATURE

WHEREAS, the North Central Texas Council of Governments is designated as the Metropolitan Planning Organization for the Dallas-Fort Worth Metropolitan Area by the Governor of Texas in accordance with federal law; and

WHEREAS, the Regional Transportation Council, comprised primarily of local elected officials, is the regional transportation policy body associated with the North Central Texas Council of Governments, and has been and continues to be the regional forum for cooperative decisions; and

WHEREAS, federal law, the Safe, Accountable, Flexible, Efficient Transportation Equity Act: A Legacy for Users assigns the Metropolitan Planning Organization the responsibility for carrying out the metropolitan transportation planning process, in cooperation with the state and operators of publicly owned transit services; and

WHEREAS, the current metropolitan transportation plan, Mobility 2030, contains

- \$70 billion (\$2006, source: Mobility 2030)
- \$77 billion (\$2008)
- \$135 billion (year of expenditure, source: Mobility 2030, State of the Region)

of projects, programs, and policies that aggressively target traffic congestion, provide for multimodal travel options, improved air quality, and increased quality of life in a cost effective manner; and

WHEREAS, the Regional Transportation Council has identified, through the Texas Metropolitan Mobility Plan, an additional

- \$59 billion (\$2006, source: Mobility 2030)
- \$64 billion (\$2008)
- \$109 billion (year of expenditure, source: Mobility 2030, State of the Region)

of unfunded transportation needs to eliminate only the most serious congestion in the Dallas-Fort Worth region; and

WHEREAS, the Regional Transportation Council has advocated for additional transportation funding and flexibility for over 10 years, with a special focus on identifying additional funding to construct and operate a seamless regional rail system for the past 5 years; and



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WHEREAS, a significant transportation funding crisis exists due to factors such as revenue sources that have not kept up with inflation, large increases in construction costs, federal rescissions, diversion of State transportation funds, an aging transportation system, and future uncertainty for the federal Highway Trust Fund; and

WHEREAS, an integrated system of highways, toll roads, local streets, passenger rail, freight rail, and aviation facilities is essential to the movement of people and goods within and through our region in order to continue to have economic success; and

WHEREAS, local governments are funding a larger share of transportation improvements through local sales taxes, property taxes, toll roads, and allocations from general funds due to decreasing federal and State revenues; and

WHEREAS, the market valuation process and local toll agency primacy established by SB 792 (80th Texas Legislature) are cumbersome, have created a situation where two agencies are in opposition; and

WHEREAS, the Regional Transportation Council has adopted a Resolution declaring its intention during the 81st Texas Legislature to actively pursue the legislative positions set forth in Attachment 1; and

WHEREAS, the City of Fort Worth agrees with and will benefit from the legislative position espoused in the Regional Transportation Council's Resolution;

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF FORT WORTH, TEXAS, THAT:

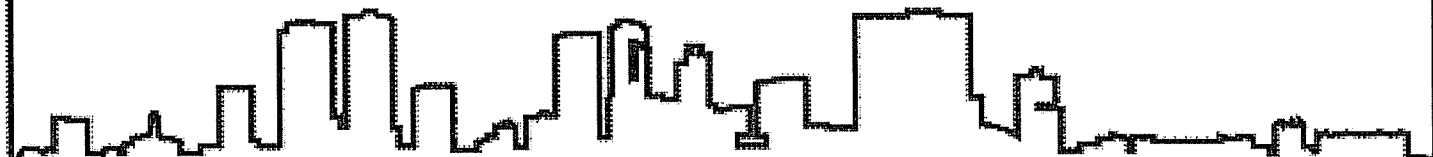
Section 1. The City of Fort Worth approves the Regional Transportation Council's legislative agenda for the 81st Texas Legislature, as detailed in Attachment 1.

Section 2. The City of Fort Worth will work with the Regional Transportation Council, the North Texas Tollway Authority, and regional partners to develop a common position on delivering toll roads.

Section 3. This Resolution will be transmitted to the North Texas legislative delegation.

Section 4. This Resolution will be transmitted to the North Central Texas Council of Governments, local governments, partner organizations, and other interested parties with a request to support transportation as the region's highest legislative priority for the 81st Texas Legislature and a request to endorse this Resolution.

Section 5. This Resolution shall take effect immediately following its adoption.



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Adopted this 11th day of November 2008.

ATTEST:

By: Marty Hendrix
Marty Hendrix
City Secretary

APPROVED
CITY COUNCIL

NOV 11 2008

Marty Hendrix
City Secretary of the
City of Fort Worth, Texas



CITY OF FORT WORTH

**Regional Transportation Council
Legislative Program
81st Texas Legislature**

Legislation to Actively Pursue

Support the Rail North Texas initiative to provide options to fund regional rail. Authorize metropolitan regions to enact a local option transportation tax with voter approval for rail and roadways. Advancing passenger rail continues to be the primary focus of the legislative program.

Support initiatives to expedite backlogged roadway projects:

- Constitutionally protect all revenues in Fund 006 for roadway maintenance and capacity improvements;
- Discontinue the diversion of transportation resources;
- Increase and index transportation taxes, such as the motor fuels tax;
- Provide funding for the Proposition 12 General Obligation bonds; and,
- Reallocate highway user fee revenues from the General Revenue Fund to the Texas Mobility Fund.

Capitalize the Rail Relocation Improvement Fund. Revenues for goods movement are critical to enhance rail freight mobility.

Legislation to Support

Strengthen regulations related to emissions inspections:

- Require proof of emissions inspections for vehicle registration, transfer, or re-registration;
- Strengthen penalties for conducting improper inspections;
- Enhance requirements for becoming a state emissions inspector or station; and,
- Authorize and fund, through increased fees, Regional Emissions Task Forces.

Make modifications to the LIRAP program:

- Limit the mileage on a replacement vehicle to no more than 60,000 miles;
- Change household "net" income to household "gross" income;
- Change payment requirement to dealers from 5 business days to 14 business days; and,
- Modify requirements to allow for new purchase of SmartWay-certified vehicles as opposed to the current Bin 5 requirement.

Expand the scope of the State model rule on locally enforced idling restrictions including modifications to impacted vehicles and year-round implementation.

Make modifications to the TERP program:

- Incorporate travel on designated roadways when determining project cost-effectiveness, not just minimum vehicle use requirements to properly account for regional ozone transport;
- Restructure guidelines to make retrofit projects a more enticing option for vehicle and equipment owners by providing a monetary incentive based on actual emissions reductions irrespective of retrofit technology cost; and,
- Activate and fund the Light-Duty Motor Vehicle Purchase or Lease Incentive Program.

Establish OBD II emissions testing of on-road diesel vehicles.

Provide counties land use authority and the power to create zoning regulations in rapidly growing unincorporated areas.

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Include towing/wrecker service vehicles in the definition of “authorized emergency vehicles” included in the Move Over Law (Sections 545.157 and 541.201, Texas Transportation Code) when such vehicles are responding to a traffic incident.

Recognize towing/wrecker services as emergency responders when participating in traffic incident response and provide towing/wrecker services with the same liability exemption as law enforcement agencies.

Allow video archiving of Intelligent Transportation System closed-circuit television cameras for a 24-hour period for transportation safety training and transportation security purposes. Exempt archived video from the Open Records Act.

Legislation to Monitor

Maintain current funding amounts for the Low-Income Vehicle Repair Assistance, Retrofit, and Accelerated Retirement Program (LIRAP) and the Texas Emissions Reduction Plan (TERP).

Retain current authority for truck lane restrictions.

Support the creation of dedicated truck lanes on existing highways.

Retain the authority to enter into Comprehensive Development Agreements for railroad projects.

Provide a tax credit to businesses which offer trip reduction strategies to their employees.

Allow any peace officer to verify and/or enforce emissions compliance of any vehicle offered for sale to the public on any car lot in an affected and participating county.

Allow Class B and Class C misdemeanors in Transportation Code Chapter 548 to be heard by either a District Court or any Justice of the Peace.

Require the removal of any emissions inspection certificate from a vehicle before it is allowed to be auctioned off.

Pursue the latest California Low Emission Vehicle engine standards to reduce emissions and provide Texas a more competitive edge in acquiring emerging technologies often prioritized for those areas implementing the program.

Adopt State regulations that require all heavy-duty diesel engines produced for sale or use in Texas for the 2010 and newer model years to be certified to meet the California emission control standards specified under Title 13, California Code of Regulations.

Create a pilot program to test the feasibility of implementing a mileage based fee to replace the motor fuels tax.

Introduce a 10-year OBD II rolling window for I/M testing requirement. This will require any OBD II compliant vehicle 11 years and older to be subject to the ASM I/M test.

Monitor the implementation of SB 11 (80th Texas Legislature) as it relates to exempting emergency responders from paying tolls at any time.

Authorize municipalities to retain video from red-light cameras for 72 hours for law enforcement investigation purposes.

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Provide new mechanisms for coordination between local governments and transit authorities on land use and transportation connections around rail stations.

Maintain protection for all surplus toll revenue and concession payments to fund transportation in the region from which the tolls or fees were generated.

Protect all transportation resources and revenues and the authority and flexibility achieved through recent transportation legislation.

Provide local governments, transit entities, and the State a common base for taxable goods and services, including any goods and services newly taxed by the Legislature.

Oppose legislation permitting triple-tandem trucks on state highway facilities.

Maintain local authority to implement red-light cameras and maintain current revenue sharing with the State.